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Via Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Transforming the 2.5 GHz Band – WT Docket No. 18-120 – NOTICE OF EX
PARTE PRESENTATION*

Dear Ms. Dortch:

I am writing pursuant to Section 1.1206(b)(2) of the Commission's rules to report that on November 27, 2018, Lynn Rejniak and Todd Gray, representing the National EBS Association ("NEBSA"), and David Moore, Donna Balaguer, and the undersigned, representing the Catholic Technology Network ("CTN"), met with Will Adams, Wireless Advisor to Commissioner Carr, regarding the above-referenced proceeding.

We urged that Educational Broadband Service ("EBS") white space – which covers only about 15% of the U.S. population – be licensed through priority filing windows limited to Tribal Nations and educational entities (local accredited institutions and governmental entities) that do not currently hold EBS licenses. Although CTN and NEBSA members will not benefit directly from priority filing windows given their incumbent status, CTN and NEBSA support the windows because licensing EBS white space to Tribal entities and schools will benefit the education community as a whole, which has been waiting for decades for the opportunity to apply for EBS licenses, and help preserve the essential educational nature of EBS.

We also pointed out four misperceptions about EBS:

MISPERCEPTION - EBS is Underutilized. EBS is not underutilized. Somehow the fact that EBS white space remains unlicensed became conflated with the idea that licensed EBS is underutilized. The record shows that in areas where EBS is licensed – which cover 85% of the U.S. population – the spectrum is widely deployed.

MISPERCEPTION - EBS Was a Spectrum Policy Mistake. While EBS faced challenges during the transition from its original use as an educational television service to its current use as a wireless broadband service, today EBS works for everyone – educators, students, commercial operators, and consumers. The Commission’s current rules and policies for EBS are not hampering investment in the 2.5 GHz band. They are not slowing commercial deployment in the band. They are not holding-up spectrum needed for 5G. From a policy perspective, EBS facilitates digital education without government subsidies. Instead of undertaking a potentially disruptive transformation of the band, most EBS rules should be left unchanged. This will help close the digital divide while at the same time ensuring that EBS continues to be available for commercial deployment.

MISPERCEPTION – EBS is No Longer Necessary. Another misperception is the notion that EBS licenses are “no longer necessary” because many EBS licensees lease 95% of their spectrum and “ride over-the-top” of commercial broadband networks. This is a red herring. Shared networks have long been recognized and encouraged by the Commission as an efficient way to use EBS spectrum for both educational and commercial purposes.

MISPERCEPTION – EBS Licensees are Middlemen. The final misperception is the notion that EBS licensees are “middlemen.” Middlemen simply broker an asset. That’s not what happens with EBS. EBS licensees *educate*; commercial operators serve customers for a *profit*. These are different goals – both of which are served under the existing regulatory model (without government subsidies) because educators have a “seat at the table.” The best way to ensure that the next generation of EBS licensees don’t *become* middlemen is to (1) limit eligibility for new licenses to accredited educational institutions and governmental organizations, (2) retain EBS educational use requirements, and (3) maintain existing rules, which prohibit the sale of EBS licenses to commercial entities.

Respectfully submitted,

/s/ Edwin N. Lavergne

Edwin N. Lavergne

cc Will Adams
Lynn Rejniak
Todd Gray
David Moore